

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

ORDER

Criminal File No. 15-114 (MJD/TNL)

(1) PATRICK JON EVERS,

Defendant.

LeeAnn K. Bell, Kevin S. Ueland, and Manda M. Sertich, Assistant United States Attorneys, Counsel for Plaintiff.

Frederick J. Goetz, Goetz & Eckland PA, Counsel for Defendant.

Based upon the files, records, and proceedings herein, **IT IS HEREBY**

ORDERED:

The Government's Motion in Limine to Preclude the Admission of Medical Records [Docket No. 84] is **GRANTED IN PART** and **DENIED IN PART** as follows:

1. If Defendant can show that Exhibit 2 was ordered by his treating physician to treat his back condition, the motion to exclude Exhibit 2 is denied.

2. If Defendant can show that Exhibit 3 and Exhibit 4 are related to his back injury, the motion to exclude Exhibits 3 and 4 is denied.
3. The motion to exclude Exhibit 6 is granted because under Federal Rule of Evidence 403, any probative value is substantially outweighed by the danger of confusing and misleading the jury. Exhibit 6 is related to the time period after the alleged crimes, and it focuses on Defendant's hip arthritis, which was not a basis for Defendant's worker's compensation benefits.

Dated: March 17, 2016

s/ Michael J. Davis

Michael J. Davis

United States District Court